

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-2779

D. JOHNSON WILLIS,

Plaintiff - Appellant,

and

EARNESTINE BROWN; JAMES EDWARD RHODES; AMY
COX; JAMES MEADOWS; LENA BROWN; NELSON DOVE;
ROSETTA MEADOWS; THERESA MURRELL; JAMES G.
GRADY; ALBERT H. BROWN; ELLEN CROUELL;
FRANKLIN BROWN,

Plaintiffs,

versus

TOWN OF TRENTON, NORTH CAROLINA; COUNTY OF
JONES, NORTH CAROLINA; NORTH CAROLINA DEPART-
MENT OF ENVIRONMENT, HEALTH AND NATURAL
RESOURCES,

Defendants - Appellees,

and

ENVIRONMENTAL PROTECTION AGENCY,

Defendant.

No. 95-2822

D. JOHNSON WILLIS,

Plaintiff - Appellant,

and

JAMES EDWARD RHODES; VELMA MCMILLIAN; MAMIE
RHODES; HELEN BURNEY; BARBARA BURNEY; SUZETTE
BRANCH; LAURA MORGAN; ORESLEY WILLIAMS;
EARNESTINE BROWN; IRISH BURNEY,

Plaintiffs,

versus

JONES COUNTY, NORTH CAROLINA; STATE OF NORTH
CAROLINA,

Defendants - Appellees,

and

JAMES E. STEWART AND ASSOCIATES, INCORPORATED;
NEUSE RIVER COUNCIL OF GOVERNMENTS; NORTH
CAROLINA DEPARTMENT OF COMMERCE, and its
Entity, Division of Community Assistance; U.S.
DEPARTMENT OF HOUSING & URBAN DEVELOPMENT, and
its Entity, Office of Fair Housing; HAROLD
KOONCE; C. DAVID HARRIS AND ASSOCIATES,

Defendants.

No. 95-2955

D. JOHNSON WILLIS,

Plaintiff - Appellant,

and

JAMES EDWARD RHODES; VELMA MCMILLIAN; MAMIE
RHODES; HELEN BURNEY; BARBARA BURNEY; SUZETTE
BRANCH; LAURA MORGAN; ORESLEY WILLIAMS;
EARNESTINE BROWN; IRISH BURNEY,

Plaintiffs,

versus

JONES COUNTY, NORTH CAROLINA; STATE OF NORTH
CAROLINA,

Defendants - Appellees,

and

JAMES E. STEWART AND ASSOCIATES, INCORPORATED;
NEUSE RIVER COUNCIL OF GOVERNMENTS; NORTH
CAROLINA DEPARTMENT OF COMMERCE, and its
Entity, Division of Community Assistance; U.S.
DEPARTMENT OF HOUSING & URBAN DEVELOPMENT, and
its Entity, Office of Fair Housing; HAROLD
KOONCE; C. DAVID HARRIS AND ASSOCIATES,

Defendants.

No. 95-2995

D. JOHNSON WILLIS,

Plaintiff - Appellant,

and

HARDY BROCK; BARBARA BURNEY; LENA BROWN; EDNA
BROWN; JAMES EDWARD RHODES; FANNIE MCDANIEL;
EARNESTINE BROWN; BLANCHIE DOVE; BLANCHE DOVE,

Plaintiffs,

versus

TOWN OF TRENTON, NORTH CAROLINA; COUNTY OF
JONES, NORTH CAROLINA,

Defendants - Appellees,

and

ANN BROCK; EDWARD EUBANKS; CHARLES JONES, Mem-
bers of the Town Council of Trenton; C. GLENN
SPIVEY, Clerk to the Town Council; NOLAN B.
JONES, Chairman of the Jones County Commis-
sioners; HORACE B. PHILLIPS; ROBERT WILLIAM
MATTOCKS; CHARLES BATTLE, JR.; LESLIE DEWEY
STRAYHORN, Members of the Jones County Com-
missioners; LARRY P. MEADOWS, Jones County
Manager, JOFFREE T. LEGGETT, Mayor of Trenton,

Defendants.

No. 95-2996

DANIEL J. WILLIS,

Plaintiff - Appellant,

versus

TOWN OF TRENTON, NORTH CAROLINA,

Defendant - Appellee.

No. 95-2997

D. JOHNSON WILLIS,

Plaintiff - Appellant,

and

HARDY BROCK; ANITA B. BROWN; EARNESTINE BROWN;
LENA BROWN; DEBRA CURETON,

Plaintiffs,

versus

TOWN OF TRENTON, NORTH CAROLINA,

Defendant - Appellee.

No. 95-2998

DANIEL J. WILLIS,

Plaintiff - Appellant,

versus

TOWN OF TRENTON, NORTH CAROLINA,

Defendant - Appellee,

and

JOFFREE T. LEGGETT, Mayor of the Town of
Trenton; EDWARD EUBANKS, Member of the Town
Council of Trenton; ANN BROCK, Member of the
Town Council of Trenton; CHARLES JONES, Member
of the Town Council of Trenton; CHARLES R.
HUGHES, Chairman of Election of Jones County,

Defendants.

Appeals from the United States District Court for the Eastern
District of North Carolina, at Greenville. Malcolm J. Howard,
District Judge. (CA-93-79-4-H, CA-93-23-4-H, CA-92-92-4-H, CA-92-
107-4-H, CA-92-148-4-H, CA-92-159-4-H)

No. 95-2935

DANIEL J. WILLIS,

Plaintiff - Appellant,

versus

TOWN OF TRENTON, NORTH CAROLINA,

Defendant - Appellee,

and

JOFFREE T. LEGGETT, Mayor of the Town of
Trenton; EDWARD EUBANKS, Member of the Town
Council of Trenton; ANN BROCK, Member of the
Town Council of Trenton; CHARLES JONES, Member
of the Town Council of Trenton; CHARLES R.
HUGHES, Chairman of Election of Jones County,

Defendants.

No. 95-2940

D. JOHNSON WILLIS,

Plaintiff - Appellant,

and

HARDY BROCK; BARBARA BURNEY; LENA BROWN; EDNA
BROWN; JAMES EDWARD RHODES; FANNIE MCDANIEL;
EARNESTINE BROWN,

Plaintiffs,

versus

TOWN OF TRENTON, NORTH CAROLINA; COUNTY OF
JONES, NORTH CAROLINA,

Defendants - Appellees,

and

ANN BROCK; EDWARD EUBANKS; CHARLES JONES, Members of the Town Council of Trenton; C. GLENN SPIVEY, Clerk to the Town Council; NOLAN B. JONES, Chairman of the Jones County Commissioners; HORACE B. PHILLIPS; ROBERT WILLIAM MATTOCKS; CHARLES BATTLE, JR.; LESLIE DEWEY STRAYHORN, Members of the Jones County Commissioners; LARRY P. MEADOWS, Jones County Manager,

Defendants.

No. 95-2941

DANIEL J. WILLIS,

Plaintiff - Appellant,

versus

TOWN OF TRENTON, NORTH CAROLINA,

Defendant - Appellee.

No. 95-2942

D. JOHNSON WILLIS,

Plaintiff - Appellant,

and

HARDY BROCK; ANITA B. BROWN; EARNESTINE BROWN;
LENA BROWN; DEBRA CURETON,

Plaintiffs,

versus

TOWN OF TRENTON, NORTH CAROLINA,

Defendant - Appellee.

Appeals from the United States District Court for the Eastern District of North Carolina, at New Bern. Malcolm J. Howard, District Judge. (CA-92-92-4-H, CA-92-107-4-H, CA-92-148-4-H, CA-92-159-4-H)

Submitted: January 11, 1996 Decided: January 23, 1996

Before RUSSELL, HALL, and WILKINSON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

D. Johnson Willis, a/k/a Daniel J. Willis, Appellant Pro Se. Robert Scott Pierce, WOMBLE, CARLYLE, SANDRIDGE & RICE, Winston-Salem, North Carolina; Daniel Calvin Oakley, Assistant Attorney General, Charles Jerome Murray, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina; Cheryl A. Marteney, WARD & SMITH, P.A., New Bern, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellant noted the appeals in Nos. 95-2779, 95-2822, 95-2935, 95-2940, 95-2941, and 95-2942 outside the appeal period established by Fed. R. App. P. 4(a)(1), failed to obtain extensions of the appeal periods within the additional thirty-day period provided by Fed. R. App. P. 4(a)(5), and is not entitled to relief under Fed. R. App. P. 4(a)(6). The time periods established by Fed. R. App. P. 4 are "mandatory and jurisdictional." Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)). The district court entered its orders on October 14, 1993, January 12 and 13, 1994, and March 22 and 30, 1995. Appellant's notices of appeal were filed on September 25 and 26, 1995, October 16 and 30, 1995, and November 7, 1995. Appellant's failure to note timely appeals or obtain extensions of the appeal periods deprives this court of jurisdiction to consider these cases. We therefore dismiss these appeals.

Appellant timely appealed the district court orders entered on October 16, 1995, and November 3, 1995, in Nos. 95-2955, 95-2995, 95-2996, 95-2997, and 95-2998. The subjects of these appeals are the district court's orders striking Appellant's untimely notices of appeal. The district court did not have jurisdiction to strike the untimely notices of appeal. See Liles v. South Carolina Dep't of Corrections, 414 F.2d 612, 614 (4th Cir. 1969). However, we dismiss these appeals as moot because the untimely appeals were

transmitted to this court, so the Appellant received the relief he sought.

We deny the Appellant's motions for oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED